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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

ELEAQIA MCCRAE,

Case No. 6:20-cv-01489-IM

Plaintiff,

v.

**SUPPLEMENTAL DECLARATION OF
AARON P. HISEL IN SUPPORT OF
DEFENDANTS' RULE 50 MOTION**

CITY OF SALEM, et al.,

Defendants.

I, Aaron P. Hisel, hereby declare under penalty of perjury that the following is true and correct based upon my person knowledge:

1. I am one of the attorneys representing the defendants in this matter. This Supplemental Declaration is offered in support of Defendants' Rule 50 Motion.

2. Attached to this declaration and marked “Exhibit 8” is a true and correct copy of transcript excerpts from *McCrae v. City of Salem*, Case No. 6:20-cv-01489, Trial Day five, showing Defendants’ attorney, Aaron Hisel, preserved the Rule 50(a) and 50(b) motions. The attached pages are certified to be true and accurate by Certified Court Reporter Jill Jessup on October 19, 2022, as shown on the enclosed certificate page.

3. Attached to this declaration and marked “Exhibit 9” is a true and correct copy of transcript excerpts from *McCrae v. City of Salem*, Case No. 6:20-cv-01489, Trial Day one, testimony of Robert Johnston. The attached pages are certified to be true and accurate by Certified Court Reporter Jill Jessup on October 11, 2022, as shown on the enclosed certificate page.

4. Attached to this declaration and marked “Exhibit 10” is a true and correct copy of transcript excerpts from *McCrae v. City of Salem*, Case No. 6:20-cv-01489, Trial Day three, testimony of Scott DeFoe. The attached pages are certified to be true and accurate by Certified Court Reporter Jill Jessup on October 11, 2022, as shown on the enclosed certificate page.

I hereby declare that the above statement is true to the best of my knowledge and belief, and I understand it is made for use of evidence in court and subject to penalty for perjury.

DATED this 1st day of November, 2022.

s/ Aaron P. Hisel
Aaron P. Hisel, OSB #161265
Of Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing SUPPLEMENTAL DECLARATION OF AARON P. HISEL IN SUPPORT OF DEFENDANTS' RULE 50 MOTION on:

Kevin C. Bague
The Bague Law Firm
4504 S. Corbett Avenue Suite 250
Portland, OR 97239
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Attorney for Plaintiff

by the following indicated method or methods:



by **electronic means through the Court's Case Management/Electronic Case File system** on the date set forth below;

by **emailing** a copy thereof to each attorney at each attorney's last-known email address on the date set forth below;

by **mailing** a full, true, and correct copy thereof in a sealed, first-class postage-prepaid envelope, addressed to plaintiff's last-known address listed above and depositing it in the U.S. mail at Salem, Oregon on the date set forth below.

DATED this 1st day of November, 2022.

s/ Aaron P. Hisel
Aaron P. Hisel, OSB #161265
Of Attorneys for Defendants

CERTIFICATE OF SERVICE